

(MR. SPEAKER)

instance has been mentioned; therefore it is not the opinion of this House or of the Committee with regard to the alleged bona fides or mala fides on the part of the Police that will determine the limits of the privilege. The full extent of the privilege has to be found from what has been prevailing in England. It is only when such a convention is found that any scope for enquiry by the privilege committee arises. To see whether in the instant case there has been any mala fides exist or not; nothing having been cited or shown regarding this aspect of the privilege as forming a part of privilege in the House of Commons, I hold that the matter is not in order.

Re: A point of order raised by Sri K. H. Patil of the right of members to speak on the point of orders raised in the House.

A point was raised by the Hon'ble Member Sri K. H. Patil that whenever a member raises a point of order it is the duty of the Speaker to hear all members in so far as they might have to make any statements on that point.

Art. 208 of the Constitution provides that a House of the Legislature may make rules for regulating, subject to the provisions of the Constitution, its procedure and the Conduct of its business. The Mysore Legislative Assembly has framed rules for the Conduct of its business. The proceedings in the House have therefore to be conducted according to these rules only. Rule 311 of the Mysore Legislative Assembly makes provision for raising points of order and for their disposal. A point of order shall relate to the interpretation or enforcement of the rules and such articles of the constitution as regulate the business of the House. It should be within the cognisance of Speaker. It also relate to the business before the House at the moment. It can also be raised in a vacuum provided it relates to the maintainance of order or arrangement of Business. The Speaker has to give a ruling on a point of order and before giving a ruling he may, if he thinks fit, hear members. No debate shall be allowed. Speaker is not bound to hear other members. He can hear only if he wants to. The number of members to be called by the Speaker may depend on the importance of the matter raised. According to the rule it is therefore clear no member can claim it as a right to speak on a point of order raised by another member.

Rule 286 provides that a member may speak if the Speaker calls his name. If his name is not called a member does not get a right to speak. There is no absolute right in a member to speak without being called by the Speaker. Even if a member wants to raise a point of order the Speaker has to permit. No point of Order can be raised when the Speaker is on his legs.

Rule 294 provides that members other than a mover of a motion may speak on the motion in such order as the Speaker may call them. If the Speaker does not call a member cannot speak. The rule also

provides that except in the exercise of a right of reply no member shall speak more than once on any motion except with the permission of the Speaker. From this it is clear that no member has a right to speak a second time except by way of reply. Speaker has been vested with discretion to permit a member to speak a second time. It is thus clear that a member has no inherent right to speak as many times as he likes.

Re: A point raised by Sri N. Hutchmasti Gowda that the speaker cannot request the representations of Press not to take down certain portions of the proceedings.

There is one point on which I have not given a ruling, that is about the point raised by Sri Hutchmasti Gowda, namely that I cannot request the members of the press not to take down something. Here, the press is to reflect and report the proceedings of the House. I have got a right to say that certain things have to be expunged from the proceedings and they cannot report it and this necessarily follows that an earlier step taken that what cannot be said cannot be reported. They are not members of the House to whom I can give directions. I leave it there.

BUSINESS OF THE HOUSE

I now go to the Motion. Now, the hon. Minister has given notice of the substitute Motion. I believe, it has been circulated. This Motion will be moved and we have received amendments to the motion and they will be discussed.

Sri AZEEZ SAIT.—Before that, there is a Call Attention motion by an hon. member on police atrocities in Coondapur.

Mr. SPEAKER.—Which item in the Agenda?

Sri AZEEZ SAIT.—Sir, many items including your remarks were not include in the Agenda.

Mr. SPEAKER.—Any item which is not in the Agenda cannot be taken up. The hon. member may resume his seat.

Sri AZEEIZ SAIT.—If you do not want that I should not rise in my seat at all, so long as you are in the Chair, I will be outside. If the Speaker does not want me to speak at all and even before I open my mouth if you ask me to resume my seat, how can I proceed? You cannot tolerate anything that I say. What is it after all? It is personal prejudice against me.

Mr. SPEAKER.—I allowed two minutes; he proceeds futher and makes insinuations and wants to say something which he thinks, he is entitled to speak as a matter of right. I asked him whether there is any mention of that item on the agenda. He proceeds to say something which he